



PATENT
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12

In re Application : Robert J. McMillan et al.
For : MOTOR VEHICLE MONITORING
SYSTEM FOR DETERMINING A COST
OF INSURANCE
Serial No. : 09/135,034
Filed : August 17, 1998
Examiner : COSIMANO, E.
Group Art Unit : 2761
Last Office Action : August 13, 1999
Attorney Docket No. : PGR 2 0001-1-1

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**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION (37 CFR 1.321(b))**

Honorable Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Identification Of Person(s) Making This Disclaimer

Name(s) of disclaimant(s): Patrick R. Roche
Residing at: Fay, Sharpe, Fagan, Minnich & McKee
1100 Superior Avenue, Seventh Floor
Cleveland, Ohio 44114

represent that I am

- an inventor of this invention
— an assignee of this invention
XX a representative authorized to sign on behalf of the assignee
identified below.

Certificate of First Class Mail

I hereby certify that this Amendment, Terminal Disclaimer and fee are being deposited with the United States Postal Service as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231, on November 15, 1999.

Cathryn Terchek
Cathryn Terchek

Date: November 15 1999

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FC:148

Identity of Assignee and Title of Disclaimant (if applicable)

The Assignee is

Name of Assignee : Progressive Casualty Insurance Company

Address of Assignee: 6300 Wilson Mills Road

Mayfield Village, Ohio 44143

Title of disclaimant: Attorney of Record authorized to sign on behalf of Assignee

Recordal of Assignment in PTO

XX The assignment was recorded on February 6, 1998, Reel 8964 Frame 0534
— authorization for recordal of the assignment is separately attached.

Extent of Interest

The extent of Progressive's interest is in

XX the whole of the invention

— a sectional interest in this invention as follows (here state the exact
interest of the disclaimant(s):

I state that the relevant evidentiary documents have been reviewed, and certify that
to the best of my knowledge and belief, title is in the assignee taking this action.

Disclaimer

I hereby disclaim the terminal part of any patent granted on the above-identified
application, which would extend beyond the expiration date of the full statutory
term of:

XX United States Patent No. 5,797,134

— Any patent granted on application number _____

and hereby agree that any patent so granted on the above-identified application
shall be enforceable only for and during such period that the legal title to said
patent shall be the same as the legal title to

XX United States Patent No. 5,797,134

— Any patent granted on application number _____.

this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors or assigns.

Disclaimany does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of

XX United States Patent No. 5,797,134, as presently shortened by any terminal disclaimer

 Any patent granted on application number .

in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its full statutory term as presently shortened by any terminal disclaimer except for the separation of legal title stated above.

Fee Status

(37 CFR 1.20(d) and 37 CFR 1.321)

XX other than a small entity - fee \$ 110.00

 small entity - fee \$ 55.00

 verified statement attached

 verified statement filed on

Fee Payment

XX Attached is a check in the amount of \$110.00

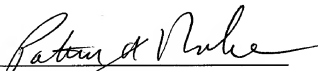
XX Charge Deposit Account No. 06-0308 for any fee deficiency required by this paper.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both,

under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

11/15/99


Signature of Disclaimant

Patrick R. Roche, Esq.

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